

Fall 2005  
Vol. 24, No. 1

**Michigan  
Department  
of State**

**Terri Lynn Land  
Secretary  
of State**

## In this issue

### **Page 2**

Frequently asked  
questions about  
mechanic  
certification

About the Training  
and Resource  
Section

### **Page 3**

Disciplinary  
actions

### **Page 4**

Environmental and  
shop supply  
charges

Poor  
communication  
can result in  
complaints

Spread the  
“News”

## **Facility and mechanic training now being offered**

The Bureau of Regulatory Services' Program Operations Division is pleased to offer training to help repair facilities comply with the Motor Vehicle Service and Repair Act. This training will assist repair facilities in increasing positive communication with customers and overall business efficiency.

Larry Stanisz of the Training and Resource Section will share his extensive experience working in the repair industry as a mechanic, service advisor and service manager. He will also offer his insights as a Department of State analyst mediating complaints against repair facilities and mechanics.

The training is free, and registration is first come, first served.

Topics to be covered in the training sessions include:

- The [www.Michigan.gov](http://www.Michigan.gov) Web site
- The Repair Facility Manual
- Proper written estimates and final invoices
- Record keeping requirements

- Repair facility and mechanic responsibilities
- Common mistakes
- Other basic requirements

Most of the classes are being held at the Secretary of State Building at the State Secondary Complex near Lansing. Directions are available from [www.Michigan.gov/sos](http://www.Michigan.gov/sos):

- “Services to Businesses” at the left side of the page;
- “Publications and Forms” at the bottom of the page;
- “Map of Secondary Complex Building Locations” at the bottom of the page.

Contact the Program Operations Division at (517) 241-6850 to register or to obtain information about the availability of sessions at all locations. Information is also available through the Department of State Web site at [www.Michigan.gov/sos](http://www.Michigan.gov/sos).

---

---

## **Repair Facility Manual updated**

Be on the lookout for revisions to the Repair Facility Manual. The updated version replaces the previous manual originally sent to repair facilities in 1998 and subsequently sent to new repair facilities until 2004.

The manual has important information about Michigan's Motor Vehicle Service and Repair Act and Administrative Rules. It also answers many of the questions that come up daily as facilities communicate with customers. Repair facilities are encouraged to keep a copy of the manual handy and refer to it often.

To provide quicker updates and save costs, the manual will no longer be printed and mailed. Future updates will be posted on the Secretary of State's Web site at [www.Michigan.gov/sos](http://www.Michigan.gov/sos) (under “Services to Businesses,” “Publications and Forms”).

The following summary indicates where major revisions and added information in the manual are located. Most changes are in chapters 6 and 7. Chapter 7 addresses mechanic-related issues.

- **Chapter 6** – Sections 6-3.1 through 6-3.4 were revised due to an amendment to the Garage Keeper's Lien Act, effective on July 1, 2002. This amendment improved the Garage Keeper's Lien process by benefiting both the vehicle owner and the repair facility owner.
- **Chapter 7** – The Pre-1973 Vehicle Repair specialty category (effective April 2, 2001) was added to Section 7-2.1 (Automotive and Light Truck Certification Categories) and Table 7-1.

You are encouraged to become familiar with the changes, as well as all requirements of the Motor Vehicle Service and Repair Act, by reading the entire manual. Remember to check online regularly for changes to the manual.

Any questions about the changes in the manual may be directed to the Training and Resource Section in the Program Operations Division by telephoning (517) 241-6850.

## Frequently asked questions about mechanic certification

- Q.** If I am certified by Automotive Service Excellence (ASE), do I need to be certified by the state of Michigan, too?
- A.** Yes. You must be certified by the state of Michigan to perform major repairs on motor vehicles in Michigan. If you have passed tests administered by ASE, you will qualify for Michigan certification in the comparable category without taking the state test. To obtain Michigan certification, you must submit an application for certification along with proof of ASE certification. Additional categories will be added to your state certificate by submitting proof you have passed ASE tests. There is no cost to add additional categories to a current certificate.
- Q.** I have passed all seven of the ASE School Bus tests. Does the state of Michigan have comparable certification categories?
- A.** No. There are a total of 19 certification specialty categories in Michigan. If you wish to qualify for Michigan certification by proving competency through ASE, be sure the ASE test you take is comparable to the Michigan specialty category you are seeking.
- Q.** Are there any tests available for people who may not read or speak English or with special needs?
- A.** Yes. Certification tests are available on cassette tape for those who experience difficulty reading English. Interpreters are permitted to assist people who have difficulty speaking English. Contact the Licensing Unit at (517) 636-6400 for information on how to apply for a special needs test.
- Q.** Where can I take mechanic tests to become state certified?
- A.** You may take them at selected Secretary of State branch offices. Branch offices that administer tests may be found on the Department of State's Web site at [www.Michigan.gov/sos](http://www.Michigan.gov/sos) under "Branch Office Locator and Office Hours."
- Q.** I failed to meet recertification requirements. Can I continue working in the category if a certified mechanic oversees my repairs?
- A.** No. However, you may apply for a mechanic trainee permit and work under the supervision of a certified mechanic if you have not had a trainee permit in the specialty category in the previous three years. You are encouraged, however, to do more studying and get more training before taking the test again.
- Q.** I am aware the state of Michigan requires me to be certified to perform air conditioning repairs on a motor vehicle. Are there any federal certification requirements?
- A.** Yes. Amendments to Section 609 of the Federal Clean Air Act require auto mechanics, since Jan. 1, 1993, to be trained and certified on how to properly recover and recycle refrigerant. Call the Freon Hotline at (800) 296-1996 for more information.
- Q.** I am a body shop estimator and do not repair vehicles. Do I need to be certified?
- A.** If you diagnose needed repairs that affect the structural integrity of a unitized body vehicle and/or the replacement of mechanical components damaged in a collision, you need to be certified. If you greet customers, initiate paper work, and do not perform a diagnosis, certification is not required.

---

---

## About the Training and Resource Section

The Repair Program Section and the Dealer Program Section were combined last year into the Training and Resource Section (TRS) to more accurately reflect the duties and responsibilities assigned to this area within the Bureau of Regulatory Services.

TRS is responsible for training and educating repair facilities, mechanics, dealers and specially trained law enforcement officers who are certified to perform salvage vehicle inspections. It also serves as an information and communication resource to dealer licensees, repair facility registrants and certified mechanics. When questions arise, repair facilities and mechanics are encouraged to check the Repair Facility Manual on the Department of State's Web site at [www.Michigan.gov/sos](http://www.Michigan.gov/sos) under "Services to Businesses." The Web site contains newsletters and bulletins, as well as announcements regarding changes in Michigan law governing the vehicle repair industry.

The Training and Resource Section is part of the Program Operations Division and may be reached at (517) 241-6850.

## Disciplinary actions

Since the last issue of the *Auto Repair News*, the Bureau of Regulatory Services has taken disciplinary actions resulting in seven repair facilities and five mechanics entering into probation agreements, and one facility being ordered to pay restitution in lieu of a suspension being imposed as the result of an administrative hearing.

### Repair Facility Actions

The following repair facilities were charged with violations and given the penalties noted:

**Tire Clinic, Inc.** (F157524), 60 S. Telegraph Road, Waterford, 24-month probation, pending application processed. Charges: Previous conviction for operating a chop shop in violation of MCL 750.535a.

**Snappy Transmissions, Inc.** (F157564 and F157565), 4516 Van Dyke, Almont, and 26411 Dequindre, Madison Heights, 24-month probation and \$2,800 penalty, pending applications processed. Charges: Outstanding violations under previous registration numbers.

**Rainbow 38, Inc. d/b/a Pierson Rd. Muffler Man** (F153462), G3511 Pierson Road, Flint, 24-month probation, \$850 penalty. Charges: Violated mechanic certification requirements and failed to reveal a material fact.

**Lightning Automotive, Inc.** (F150105), 919 Michigan St., Niles, administrative hearing decision ordered \$1,996 restitution to be paid to a consumer for corrective repairs in lieu of suspension of the facility's registration. Charges: Violated mechanic certification requirements.

**KDS Automotive, Inc.** (F144222), 31330 Ford Road, Garden City, 24-month probation, \$2,750 penalty. Charges: Violated mechanic certification requirements and made an untrue or misleading statement of a material fact.

**Mr. Collision, Inc.** (F137068), 6249 14 Mile Road, Sterling Heights, 24-month probation. Charges: Charged for repairs not performed, failed to reveal a material fact and violated mechanic certification requirements.

**Daysman, Inc. d/b/a American Transmission of Troy** (F145844), 3953 Rochester Road, Troy, 24-month probation, \$2,450 penalty and \$1,578 restitution to two customers. Charges: Falsely represented that repairs were necessary, made an untrue or misleading statement of a material fact, performed unnecessary repairs and charged for repairs not performed.

**Sean's Automotive and Radiator Service** (F149676), 3701 E. 7 Mile Road, Detroit, 24-month probation. Charges: Charged for repairs not performed and violated mechanic certification requirements.

*During the same period, two facilities signed Assurance of Discontinuance agreements.*

### Mechanic Actions

The following mechanics were charged with violations and given the penalties noted:

**George A. Munroe** (M181531), 1305 N. Spring St., Gladwin, 24-month probation and maximum reinstatement fee of \$150 paid. Charges: Departed from or disregarded accepted motor vehicle industry standards and performed or inspected and approved repairs while certification was expired.

**Howard Barr** (M198213), 51074 Mott Road, Canton, 24-month probation. Charges: Departed from or disregarded accepted motor vehicle industry standards and performed or inspected and approved repairs without proper certification.

**Gregg E. Mastenbrook** (M213914), 8172 S. 12th St., Kalamazoo, 24-month probation, \$200 penalty, pending renewal application processed. Charges: Previous conviction for operating a chop shop in violation of MCL 750.535a.

**Ryan M. McCabe** (M248375), 1695 Simonelli Road, Muskegon, 24-month probation, pending application processed. Charges: Previous conviction for unlawful driving away of a motor vehicle in violation of MCL 750.413.

**Barry Bryan** (M152299), 3953 Rochester Road, Troy, 24-month probation. Charges: Falsely represented that repairs were necessary and performed unnecessary repairs.

*During the same period, one mechanic signed an Assurance of Discontinuance agreement, and seven mechanic certificates were suspended for noncompliance with the Child Support and Parenting Time Act.*

## Environmental and shop supply charges

A number of repair facilities have asked whether they may bill a customer for such items as “shop supplies” and “environmental charges.” The Motor Vehicle Service and Repair Act does not prohibit a repair facility from passing such costs on to the consumer.

If you intend to bill a customer for shop or other incidental items, the cost of these items must be included on the written estimate given to the customer before repairs begin. The charges should never show up “by surprise” on the customer’s final bill, even if they are within 10 percent or \$10 (whichever is less) of the original estimate.

Some estimate forms have a statement that a certain percentage will be charged for shop supplies. Even if there is such a notation, the estimated amount (in dollars) must be quoted on the written estimate.

## Poor communication can result in complaints

A vehicle was taken into a shop with a “no-start” condition. The mechanic determined the vehicle had a bad starter. The service writer called the customer and reported, “You need a new starter.” The customer asked for an estimate for the repair. The service writer gave an estimate and received authorization for the additional repair.

The mechanic installed the starter. The customer paid the bill and picked up the vehicle. Some time later, the facility was notified by the Department of State that a complaint had been filed. The customer alleged the facility charged for a new starter but installed a rebuilt part.

What happened? As in several investigations, it was determined that the customer believed the quoted price was for a new part. The facility, however, failed to inform the customer that the estimate was for a rebuilt part because it assumed the customer was already aware that rebuilt parts are commonly used in certain repairs.

And, the customer’s expectation that the part would be new was reinforced by the service writer’s choice of words. In describing the problem with the vehicle, the service writer innocently said “new starter” and failed to make a distinction between “new” and “rebuilt.”

Repair shops can avoid some disputes by clearly communicating with customers. When discussing repairs in which rebuilt parts are commonly used—starters, alternators, drive axle assemblies, etc.—be sure your customer understands that the estimate is for a rebuilt part.

You might also consider checking the availability and price of a new part. Your customer may be willing to pay the higher price for a new part.

---

---

## Spread the ‘news’

The *Auto Repair News* is published by the Department of State to inform repair facilities of rules, disciplinary actions, orders, judgments issued or obtained and suspensions or revocations of registrations and certifications. The law requires repair facilities to inform mechanics of these actions. This requirement can be met by circulating the *Auto Repair News* among employees or by making a copy for each employee.

The *Auto Repair News* is mailed to all registered repair facilities and is posted on the department’s Web site at [www.Michigan.gov/sos](http://www.Michigan.gov/sos) under “Services to Businesses.”